

SUBDIVISION MEETING

April 25, 2002

Chairman Mike Murray called the meeting to order at 9:00 a.m.

Commissioner Varone was present. Commissioner Loendorf was delayed. Others attending all or a portion of the meeting included Sharon Haugen, Warren Morehouse, Kathy Harris, Michael McHugh, Ed Tinsley, Ina Modde, Connie Johnson, David Brown, Judy Balcerzak, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

School Isolation. County Superintendent of Schools, Warren Morehouse, presented two requests for school isolation status. Isolation status is requested whenever a school has less than 10 students for two consecutive years. Craig School and Trinity School have less than 10 students this year and are anticipating less than 10 students next year. If a school receives isolation status they receive full direct state aid funding. Mr. Morehouse requested that the Commission approve and sign the two documents. Commissioner Varone moved to approve the two applications for isolation status and authorize the Chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

CTEP Bid Proposal Review. Kathy Harris reported that county staff reviewed three proposals for the design and construction services for the Spring Meadow Lake Trail. The review committee recommended that the county begin contract negotiations with Entranco, Inc. Commissioner Varone moved to direct staff to begin contract negotiations with Entranco. Commissioner Murray seconded the motion and it carried 2-0.

Sub-Recipient Agreement with Yellowstone County Health Department. This agreement is regarding the award of Section 330 grant funds. This grant award will allow Lewis and Clark County to provide a nurse at God's Love to provide medical care for the indigent homeless. Commissioner Varone moved to approve the agreement and authorize the Chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

Nursing Home Intergovernmental Transfer (IGT) Agreement. This agreement is with DPHHS and provides for a one time voluntary intergovernmental transfer of monies between DPHHS and the Cooney Convalescent Home. Commissioner Varone moved to approve the agreement and authorize the Chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

Commissioner Loendorf is now present.

Requests for Modification of Conditions of Approval for the Lowe Tracts, Lot 3 Major Subdivision. (cont. from 4/23/02). The applicant, Ann Pierce, is requesting that Tract 3-B1-2 be exempt from prohibiting keeping of livestock. Commissioner Varone moved to

deny the request to amend condition #14. Commissioner Loendorf seconded the motion and it carried 2-0. Commissioner Murray abstained from voting because he was not present at the original hearing.

Request for a Modification of Conditions of Approval for the Foxview Estates Major Subdivision. (cont. from 4/23/02). The applicant, David Brown, has requested that the Commissioners delete the requirement for construction of a fence along the length of the Helena Valley Irrigation District Canal. Commissioner Varone moved to approve the modification request for condition of approval 9. Commissioner Loendorf seconded and it carried 2-0. Commissioner Murray abstained from voting because he was not present at the original hearing.

Proposed Minor Subdivision, Summary Review, Rose Ann Minor. (cont. from 4/23/02). The applicant proposes to create one lot for a single-family dwelling and a remainder greater than 160 acres. The proposal is generally located 2¼ miles north of Canyon Ferry Road, west of and adjacent to Hart Lane. Commissioner Loendorf moved to approve the proposal subject to 11 conditions as recommended by staff. Commissioner Varone seconded the motion.

Amendments to Conditions of Approval.

Condition 8.a. Commissioner Varone moved to delete the radon condition. The motion died for the lack of a second.

Condition 8.b. Although Commissioner Varone agrees that buildings should be built to UBC standards, she moved to delete the UBC condition because the county has not adopted the standards. The motion died for the lack of a second.

Condition 8.c. Commissioner Varone moved to delete the waiver of right to protest joining a maintenance district condition. The motion died for the lack of a second.

Condition 8.e. Commissioner Varone moved to modify the condition to read, '*Any exterior lighting shall be directed downward to minimize visibility.*' Commissioner Loendorf seconded the motion and it carried unanimously.

Condition 8.f. Commissioner Varone moved to delete the waiver of right to protest joining a community water or wastewater treatment system improvement district. The motion died for the lack of a second.

Amendments to Findings and Conclusions:

Conclusion 1. Commissioner Varone moved to modify this conclusion to read, 'This proposal would have minor adverse effects on agricultural lands...'. Commissioner Loendorf seconded the motion and it carried unanimously.

Conclusion 2. Commissioner Varone moved to modify this conclusion to read, 'This proposal would have no adverse effects on local services...'. The motion died for the lack of a second. Commissioner Varone offered a substitute motion, 'This proposal

would have minimal adverse effects on local services...'. The motion carried unanimously.

Conclusion 3. Commissioner Varone moved to modify this conclusion to read, 'This proposal would have no adverse effects on the natural environment...'. Commissioner Loendorf seconded the motion and it carried unanimously.

Conclusion 4. Commissioner Varone moved to modify this conclusion to read, 'This proposal would have minimal adverse effects on wildlife and habitat...'. Commissioner Loendorf seconded the motion and it carried unanimously.

Conclusion 5. Commissioner Varone moved to modify this conclusion to read, 'This proposal would have minimal adverse effects on public health and safety...'. Commissioner Loendorf seconded the motion and it carried unanimously.

Conclusion 6. Commissioner Varone moved to modify this conclusion to read, 'This proposal would not have ~~significant~~ adverse effects on cultural and historic resources...'. Commissioner Loendorf seconded the motion and it carried unanimously.

The motion to approve the proposal subject to 11 amended conditions carried 2-0. Commissioner Murray abstained.

Memorandum of Understanding. (cont. from 4/18/02). The MOU is between the Helena Police Department and the Lewis and Clark County Sheriff's Office to permit the parties to assist one another through the interchange of law enforcement services and facilities for the protection of life and property. Commissioner Loendorf moved to approve the MOU and authorize the Chairman to sign. Commissioner Varone seconded the motion and it carried unanimously.

There was no other business and the meeting adjourned at 9:35 a.m.